



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

LCC:ddj
Docket No: 3047-99
21 September 1999

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 21 September 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by CMC memorandum 1400/3 MMPR-2 of 13 July 1999, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
3280 RUSSELL ROAD
QUANTICO, VIRGINIA 22134-5103

IN REPLY REFER TO:

1400/3
MMPR-2
13 Jul 99

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Subj: ADVISORY OPINION IN THE CASE OF [REDACTED]
[REDACTED]

1. [REDACTED] a former Marine indicates that he was promoted to the rank of Corporal before being discharged from the Marine Corps on 28 February 1998. He requests that his DD Form 214 be corrected to show the he was separated from the Marine Corps at the rank of corporal vice lance corporal.

2. After careful review of Lance Corporal Hallett's Official Military Personnel File (OMPF), and the information evident in the Marine Corps Total Force System (MCTFS), it has been determined that Lance Corporal Hallett did not meet the required cutting scores for his Military Occupational Specialty (MOS) of 0351 for the 1998 January, February and March Promotion Quarter. The cutting score for January 1998 was 1650 and for February the cutting score was 1636. His composite score of 1631 did not qualify him for promotion to corporal for the month of January or February. Lance Corporal Hallett would have met the cutting score (1622) for the month of March, however he was discharged from the active duty Marine Corps on 28 February 1998 which made him ineligible for promotion. Lance Corporal Hallett was discharged at the highest rank he held, a lance corporal.

3. Recommend his request be denied.

RICHARD B. FITZWATER

Assistant Head, Enlisted Promotions
Promotion Branch
By direction of
the Commandant of the Marine Corps